

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

William Henley,)	C/A No. 8:10-1895-JFA-BHH
)	
Plaintiff,)	
vs.)	
)	ORDER
South Carolina Department of Corrections,)	
)	
Defendant.)	
_____)	

The *pro se* plaintiff, William Henley, brings this action pursuant to 42 U.S.C. § 1983 challenging an ongoing appeal in an Administrative Law Court regarding a prison disciplinary hearing.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation wherein she suggests that this action should treat the plaintiff's August 18, 2010 letter to the Clerk of Court as a motion to voluntarily dismiss the action without prejudice. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The plaintiff was advised of his right to file objections to the Report and Recommendation which was entered on the docket on August 19, 2010. However, the

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

plaintiff did not file any objections to the Report within the time limits prescribed.

In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After a careful review of the record, the applicable law, and the Report and Recommendation, the court finds the Magistrate Judge's recommendation proper and incorporates it herein by reference. Accordingly, this action is dismissed without prejudice under Rule 41(a)(1) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." The signature is written in a cursive, flowing style.

Joseph F. Anderson, Jr.
United States District Judge

October 25, 2010
Columbia, South Carolina